



Response Under 37 C.F.R. §1.116
Expedited Procedure
Group Art Unit: 2851

PATENT
Attorney Docket No.: 049390-5003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|-----------------------------|---|------------------------|
| In re Application of: |) | |
| |) | |
| Shuji KUHARA |) | Confirmation No.: 9813 |
| |) | |
| Application No.: 09/558,214 |) | Group Art Unit: 2851 |
| |) | |
| Filed: April 26, 2000 |) | Examiner: A. Mathews |
| RCE filed: July 7, 2003 |) | |
| |) | Mail Stop AF |
| For: REMOTE PHOTOGRAPHIC |) | |
| PROCESSING SYSTEM |) | |

U.S. Patent and Trademark Office
220 20th Street S.
Customer Window, **Mail Stop AF**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

AMENDMENT UNDER 37 C.F.R. § 1.116

In response to the Final Office Action dated March 31, 2004 (Paper No.: 20040326), and pursuant to 37 C.F.R. §1.116, the period for response to which extends through June 30, 2004, entry of the following amendments is respectfully requested to place the application in clear condition for allowance or, alternatively, in better form for appeal.



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Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is a Amendment Under 37 C.F.R. § 1.116 responding to the Office Action dated March 31, 2004.

2. Additional papers enclosed:

- | | |
|--------------------------|--|
| <input type="checkbox"/> | Drawings: <input type="checkbox"/> Formal <input type="checkbox"/> Informal (Correction) |
| <input type="checkbox"/> | Information Disclosure Statement |
| <input type="checkbox"/> | Form PTO-1449, _____ references included |
| <input type="checkbox"/> | Citations |
| <input type="checkbox"/> | Declaration of Biological Deposit |
| <input type="checkbox"/> | Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence. |

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

| <u>Total Months Requested</u> | <u>Fee for Extension</u> | <u>[Fee for Small Entity]</u> |
|---------------------------------------|--------------------------|-------------------------------|
| <input type="checkbox"/> one month | \$ 110.00 | \$ 55.00 |
| <input type="checkbox"/> two months | \$ 420.00 | \$ 210.00 |
| <input type="checkbox"/> three months | \$ 950.00 | \$ 475.00 |
| <input type="checkbox"/> four months | \$ 1,480.00 | \$ 740.00 |

Extension of time fee due with this request: \$ 0.00.

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

| CLAIMS AS AMENDED | | | | | | |
|---|---|-------|--------------------------------|------------------|--------------|------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid | Present Extra | at Rate of | Total Fees |
| Total Claims (37 C.F.R. §1.16(c)) | 11 | minus | 20 | 0 | x \$18 each= | + \$ 0.00 |
| Independent Claims (37 C.F.R. §1.16(b)) | 3 | minus | 3 | 0 | x \$86 each= | + \$ 0.00 |
| [] First presentation of Multiple dependent claim(s) | | | | | \$290.00 | + \$ 0.00 |
| SUB-TOTAL = | | | | | | \$ 0.00 |
| Reduction by ½ for filing by a small entity | | | | | | - \$ 0.00 |
| TOTAL FEE = | | | | | | \$ 0.00 |

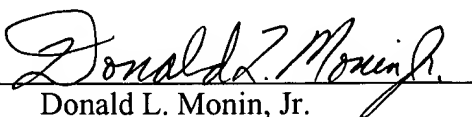
6. Fee Payment

- ☒ No fee is to be paid at this time.
- ☐ The Commissioner is hereby authorized to charge **\$ 0.00** for the one-month extension of time fee due to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: June 30, 2004

By: 
Donald L. Monin, Jr.
Reg. No. 47,256

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